

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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PETER LORA, VICTORIA BLOOM, et al.,

Plaintiffs,

vs. Case No. 1:07 CV 2787

DEAN BOLAND,

Defendant.

~~~~~

Deposition of

PETER LORA

March 3, 2009
9:00 a.m.

Taken at:
Law Office of Jonathan E. Rosenbaum, Esq.

230 Third Street

Elyria, Ohio

Donnalee Cotone, RPR, CLR

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1 APPEARANCES:

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3 On behalf of the Plaintiffs:

4 Law Office of Jonathan E.

5 Rosenbaum, by

6 JONATHAN E. ROSENBAUM, ESQ.

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12

13 On behalf of the Defendant:

14 Law Office of Dean Boland, by

15 DEAN BOLAND, ESQ.

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22 ALSO PRESENT:

23 Victoria Bloom

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1 I N D E X

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3 EXAMINATION OF DEPONENT 4 6

4 BY MR. BOLAND

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1 PETER LORA, of lawful age, called

2 for examination, as provided by the Federal

3 Rules of Civil Procedure, being by me first

4 duly sworn, as hereinafter certified, deposed

5 and said as follows:

6 EXAMINATION OF PETER LORA

7 BY MR. BOLAND:

8 Q. Sir, could you state your name and
9 spell your last name for the record, please?

10 A. Peter Lora, L-O-R-A.

11 Q. And you are one of the plaintiffs
12 in this matter, correct?

13 A. Yes.

14 Q. Along with Miss Bloom, who is here.
15 And for the record, you've been sitting in the
16 room here while I asked questions just
17 previously to Miss Bloom, correct?

18 A. Yes. Yes.

19 Q. A lot of these questions will be
20 repetitive, but we have to do this just for
21 purposes of the record.

22 What's your current address, sir?

23 A. 15717 Clifton Boulevard.

24 Q. And how long have you lived there?
25 A. Two years.

1 Q. What city is that in?

2 A. Lakewood.

3 Q. Okay. And one of the minor

4 plaintiffs in this case is your child, right?

5 A. Yes.

6 Q. What's her first name?

7 A. [Edited for filing] dmb

8 Q. And how old is she now?

9 A. [Edited for filing] dmb

10 Q. Okay. And the allegation in the

11 complaint is that a court exhibit was made

12 involving a portion of her image, and that

13 image was downloaded from iStockphoto.com. Do

14 you know who placed that image on iStockphoto?

15 A. I did.

16 Q. And when did you put it there,

17 month and year?

18 A. It was uploaded January 24th, '04.

19 Q. And were there other images of

20 Sarah that were uploaded to iStockphoto?

21 A. Yes.

22 Q. About how many?

23 A. Maybe 20 total. 15, 20.

24 Q. And anywhere -- any other sites on

25 the Internet where pictures -- that you

1 uploaded pictures of your daughter?

2 A. There was a short time where I was

3 trying to sell images on a site called

4 dreamstime.com. I am -- I don't recall if I

5 ever put any images of her on there.

6 Q. And what was the purpose of putting

7 the images on any of those sites?

8 A. It's stock photography to be used

9 for websites or advertisements.

10 Q. And the particular image that's

11 referenced in complaint in this case, do you

12 know how many times that was downloaded by

13 persons through any means, iStockphoto or that

14 other site that you mentioned?

15 A. I'm aware of six times total.

16 Q. Do you know the people who

17 downloaded that image?

18 A. Just one.

19 Q. Other than that one, do you know
20 the others?

21 A. No.

22 Q. Do you know what those other folks
23 did with that image?

24 A. No.

25 Q. Have you suffered any damages from

1 how that image was used by people other than
2 the way you're claiming it was used in this
3 case?

4 A. Have I suffered? I'm sorry. Could
5 you repeat the question.

6 Q. Other than the allegations in this
7 case about how the image of your daughter was
8 used, putting it aside for a second, the other
9 five people who downloaded, have you suffered
10 any damages from how they've used those images?

11 A. No.

12 Q. Are you aware of how they've used
13 the image?

14 A. No, I'm not.

15 Q. And when did you first become aware
16 that your daughter's image had been used in a
17 court exhibit?

18 A. Around October of '04, I believe.

19 Q. And who made you aware of that?

20 A. Charles Sullivan.

21 Q. And how did he do that? By phone?
22 In person? E-mail?

23 A. In person.

24 Q. Where was that meeting?

25 A. At my home.

1 Q. And --

2 A. Previous address.

3 Q. At a previous address?

4 A. Yes.

5 Q. And what was that address?

6 A. 17506 Neff Road, Cleveland.

7 Q. And did he show it by himself?

8 A. No. Debra Hughes was with him.

9 Q. And what did he tell you.

10 A. He told me that the image was used,

11 manipulated and used in the defense of child

12 pornographers, and I don't recall if he

13 described the image at that time.

14 Q. Did he show you the court exhibit?

15 A. No. Absolutely not. I refused to

16 see it.

17 Q. Has he ever shown you that exhibit?

18 A. No.

19 Q. Did he describe for you what he

20 thought it looked like?

21 A. It was described to me at one

22 point. I don't recall if it was him that

23 actually described it.

24 Q. Did you have more than one meeting

25 with Charlie Sullivan?

1 A. Yes.

2 Q. All right. After this first
3 meeting at the Neff Road address, where did you
4 meet him next?

5 A. I met him and Michael Sullivan at
6 the Federal Courthouse, I guess it is.

7 Q. And when was that meeting?

8 A. I don't recall. It was
9 maybe -- maybe a month after the first meeting.

10 Q. So approximately November/December
11 of '04, somewhere around there?

12 A. Give or take, yes.

13 Q. And what was the purpose of that
14 meeting?

15 A. To discuss in more detail the use
16 of the images. And I really don't recall the
17 exact conversation that happened.

18 Q. And -- go ahead.

19 A. I -- that's -- that's all I can say
20 for sure.

21 Q. And did they describe for you how
22 the court exhibit or the exhibit involving your
23 daughter's image was being used?

24 A. It was in defense of child

25 pornographers. That's the way it was described

10

1 to me.

2 Q. So they didn't say, like,

3 physically where it was being used? A

4 courthouse, in advertising?

5 A. They said in courthouses in at

6 least four or five different states or cities.

7 I don't recall the exact locations.

8 Q. Okay. And again, at this second

9 meeting, they -- did they show you a copy of

10 the court exhibit that they were referring to?

11 A. No. I refused to see it.

12 Q. Well, let me ask you this. Did

13 they offer to show it to you?

14 A. They did offer, yes.

15 Q. And you declined?

16 A. Yes.

17 Q. And to this day, have you seen that

18 court exhibit?

19 A. No.

20 Q. And you've had it described to you
21 by someone, though?

22 A. Yes.

23 Q. Either Michael or Charlie Sullivan?

24 A. Yes.

25 Q. Now, what did they tell you they

1 intended to do after that meeting, the second
2 meeting? What was their next step?

3 A. They said that they were -- I'm
4 trying to remember how they worded it, but
5 basically that they were going after you.

6 Q. And did you have any further
7 conversation with Charlie Sullivan or Michael
8 Sullivan after that second meeting in any way?
9 Phone? E-mail? Letters?

10 A. There may have been a phone call.
11 I honestly don't recall.

12 Q. And do you know if they eventually

13 did anything with regard to their
14 investigation?

15 A. I don't know.

16 Q. Okay. And when is it that you made
17 the decision to file a lawsuit in this case?

18 A. As soon as I heard about it.

19 Q. Okay. And how did you go about
20 making that determination? By the way, did you
21 have any prior relationship with the other
22 plaintiff in this case? Did you know her prior
23 to this case?

24 A. Who? My Aunt Vicky? Yeah.

25 Q. So she's your aunt?

12

1 A. Yeah.

2 Q. And did you have a discussion with
3 her about whether to file a lawsuit?

4 A. Sure. Yes.

5 Q. And what -- tell me about that
6 discussion.

7 A. We decided that what happened was

8 wrong and it was a violation of our rights and
9 personal -- personal rights. And we decided to
10 try to sue.

11 Q. Okay. And what was your next step
12 after you made your decision to sue?

13 A. I contacted Mr. Rosenbaum, and here
14 we are.

15 Q. Okay. At the time you contacted
16 Mr. Rosenbaum, can you describe for me what
17 type of damages you personally had suffered at
18 that point?

19 A. I have suffered immense
20 psychological damage, which I have not sought
21 treatment for; financial, loss of sales on
22 iStock; my passion for photography is gone.

23 Q. Is that it?

24 A. That's about it that I can say
25 right now.

1 Q. Well, let's go over a few you

2 mentioned. Have you suffered any physical
3 injury?

4 A. No.

5 Q. Any damage to your reputation as a
6 result of the conduct alleged in the complaint?

7 A. No.

8 Q. Okay. You used the phrase before,
9 immense psychological injury. Explain how that
10 manifests itself.

11 A. One of my greatest joys was being
12 with my daughter, playing, taking pictures of
13 her growing up, and now I can't point the
14 camera in her direction without thinking about
15 this.

16 Q. And when did that start where you
17 were unable to --

18 A. The minute I heard about it.

19 Q. And so have you taken any
20 photographs of her in any way since that time?

21 A. I have.

22 Q. And how many would you say you've
23 taken since then?

24 A. I can't give you an exact number,

25 but a portion of what I would have normally

14

1 taken.

2 Q. And have you uploaded any of those
3 images to the Internet for sale since then?

4 A. No.

5 Q. Are any of images of your daughter
6 still available of your daughter for sale?

7 A. Yes.

8 Q. And how many images are available
9 for sale on the Internet?

10 A. Maybe five.

11 Q. And where are they available?

12 A. All on iStock.

13 Q. Now, other than this experience you
14 described pointing the picture at
15 your -- camera at your daughter and how it
16 affects you, what other ways has this, as you
17 put it, immense psychological damage sort of
18 occurred to you?

19 A. I've been forced to see my daughter

20 in a way that no father should ever have to see
21 his daughter. I have to wonder now what's
22 happening with these images and what could
23 possibly happen with any other image that I
24 ever take of her because I shoot digital
25 camera. Somebody hacks into my computer, takes

15

1 a picture. Next thing I know, she's all over
2 the Internet.

3 Q. Now, you're not alleging in this
4 case that anyone hacked into your computer to
5 take images?

6 A. No, I'm not. It's a what-if
7 possibility.

8 Q. Let's talk about the image --
9 there's one image that's involved in this case
10 as part of a court exhibit, correct?

11 A. Yes.

12 Q. Let's talk about that court
13 exhibit. I know you haven't ever seen it, but

14 whom are you alleging actually has possession
15 of a copy of that court exhibit involving the
16 portion of the image of your daughter?

17 A. At this time?

18 Q. Yes.

19 A. Who has a copy of the innocent
20 image?

21 Q. No. The court exhibit that was
22 created.

23 A. The court exhibit, as far as I
24 know, you, Mr. Rosenbaum, possibly the FBI, the
25 courthouses where the -- where all this

1 happened.

2 Q. Any other persons outside of that
3 list that you know of that have a copy of this?

4 A. No. No.

5 Q. And what information supports your
6 comment there that I still have a copy of that
7 court exhibit?

8 A. I don't know for sure, but I

9 do -- I am aware that images that are -- that
10 have ever been on a hard drive can still be
11 retrieved from that hard drive.

12 Q. And you're aware that there's a
13 deferred prosecution agreement connected to
14 this case?

15 A. I am aware.

16 Q. Have you -- and I don't know the
17 contents of it, but have you discussed that
18 topic with Mr. Rosenbaum, that deferred
19 prosecution agreement?

20 A. Not in any detail. I'm not aware
21 of any details of it.

22 Q. Very well. Any other
23 issues -- now, the psychological injury you're
24 talking about, you've never sought
25 psychological treatment for it?

1 A. No, I have not.

2 Q. And have you ever in the past seen

3 a psychologist for any reason?

4 A. No.

5 Q. Okay. And the next thing you

6 listed as damage was financial damage. Can you

7 describe the dollar amount you're referring to

8 there that you've been harmed by what you

9 allege in the complaint?

10 A. The dollar amount can't -- I don't

11 think it's possible for it to be determined

12 because as you upload images, you get exposure

13 on iStock. The more exposure you get, the more

14 downloads you get. The -- the amount of money

15 received from iStock per download has increased

16 over the years. It's undeterminable, I think,

17 to give. I don't think I could come up with an

18 exact or even a ballpark dollar amount.

19 Q. Are you saying that the financial

20 injury is related to the fact that you have a

21 lower number of downloads now because of what

22 you're --

23 A. Yes.

24 Q. -- alleging happened in the

25 complaint?

1 A. Yes.

2 Q. How is what you're alleging in the
3 complaint caused you to have less downloads?

4 A. Because my number of uploads has
5 decreased.

6 Q. Why has that decreased?

7 A. Because when I, like I said, when I
8 found out about this, it took my drive away.
9 It took my passion for photography away. I
10 still contribute images here and there, but not
11 what I would have had this not happened.

12 Q. I see. So you've chosen or you
13 have not uploaded as many pictures as you think
14 you would have had this, what you allege in the
15 complaint not occurred, right? That's what
16 you're saying?

17 A. That's a fair assumption, yes.

18 Q. Okay. And because you've uploaded
19 less, people have downloaded less from iStock
20 and you've made less money?

21 A. Right.

22 Q. How much have you made -- well,

23 when was the first image -- time you've ever

24 loaded an image to iStock at all? You know,

25 what was the month and year when you first did

1 that?

2 A. It would have been --

3 Q. And I'm just asking you for an

4 estimate. I know you might be off by a month

5 or a year or something.

6 A. It was late in the year 2003.

7 Q. Okay. And there are still images

8 up there today, some, that you've uploaded,

9 correct?

10 A. Yes.

11 Q. And some of your daughter as well?

12 A. Yes.

13 Q. And iStock, do they keep records of

14 how much you've earned with those downloads?

15 A. Yes.

16 Q. Okay. So that's something you

17 could -- you could obtain as a list of all the

18 downloads and the dollar amount earned?

19 A. Yes.

20 Q. Okay. All right. So those are the

21 two damages, psychological and financial. Any

22 other financial damage you've suffered other

23 than related to iStockphoto downloads and

24 uploads? Any other place?

25 A. Other than loss of work being here,

20

1 no.

2 Q. Oh, being here for deposition,

3 court proceedings?

4 A. Not being at work right now, yes.

5 Q. And where do you work at?

6 A. Tropical Fish Distributors in

7 Wickliffe.

8 Q. Okay. Now, your daughter,

9 let's -- one of the responses you made to the

10 discovery was, I asked you to admit that she
11 has not suffered financial damage and you
12 denied that. So could you describe to me the
13 dollar amount of financial damage that your
14 daughter has suffered?

15 A. I -- again, I cannot give a dollar
16 amount.

17 Q. Has she suffered financial damage?
18 And I mean currently. Not what might happen in
19 the future. As of today, how much financial
20 damage has she suffered?

21 A. I guess none. Her -- I think I was
22 more referring to my being able to provide for
23 her.

24 Q. But she herself --

25 A. She herself has not, no.

1 Q. Does she earn income now in any
2 way?

3 A. No.

4 Q. Has she ever in her life earned
5 income as an actress or a model or professional
6 of any type?

7 A. No.

8 Q. I also asked you to admit that you
9 had not suffered damage to your reputation, and
10 you denied that as well.

11 Can you describe how your
12 reputation has been damaged as a result of what
13 was alleged in the complaint?

14 A. My -- again, the uploads, the -- I
15 guess it would be my reputation on iStock.

16 Q. Okay. And can you describe what
17 that reputation was before October of 2004,
18 when you first heard about this exhibit?

19 A. Just up and coming contributor to
20 iStock.

21 Q. And who -- who could I talk to that
22 would be able to describe for me your
23 reputation on iStock prior to '04 of
24 2000 -- prior to October of 2004?

25 A. My cousin Ron.

1 Q. Ron?

2 A. Bloom.

3 Q. Okay. And that's the person who
4 uploaded those other images?

5 A. Right.

6 Q. Okay. Anyone else?

7 A. I can't give you any names, no.

8 Q. Okay. So that's the damage to your
9 reputation. Do you have a dollar amount of
10 what that would equate to, that damage to your
11 reputation?

12 A. That would go right along with the
13 financial damage for loss of sales.

14 Q. And you can't calculate that?

15 A. I can't calculate that.

16 Q. Okay. Is there someone that you
17 know of who could calculate that?

18 A. Possibly somebody at iStock maybe.
19 I really don't know.

20 Q. Okay.

21 A. Part of the sales on iStock have to

22 do with exposure, and if you're not uploading
23 images, you don't get the exposure. It's hard
24 to say. It's very hard to say.

25 Q. Have you uploaded images to iStock

23

1 ever, other than ones involving your daughter
2 somehow in the image?

3 A. I don't understand the question.

4 Q. Other than images of your daughter,
5 have there been other images that you've
6 uploaded to iStock in the past?

7 A. Oh, yes.

8 Q. Give me some examples of what kind
9 of stuff you upload.

10 A. I'm currently uploading images of
11 tropical fish. I'm taking pictures for our
12 company website and I submit them to iStock.

13 Q. And are you having the
14 psychological issues using your camera
15 capturing images of stuff other than your

16 daughter for upload to the Internet?

17 A. It's difficult to pick up the

18 camera without thinking about this.

19 Q. And what was your income in October

20 of -- not October. In 2004, what was your

21 income from photography in that year?

22 A. In '04?

23 Q. Yes.

24 A. In '04, \$363.10.

25 Q. And you have a document in front of

24

1 you. Where are you getting that from? Is that

2 an iStock record?

3 A. This is my -- iStock allows

4 you -- they track your sales throughout each

5 month -- well, day, month, and year.

6 Q. Okay. So in '04 you made about

7 \$360 from iStock?

8 A. Right.

9 Q. And would you be able to get from

10 iStock the records of how much you earned

11 in -- every year from 2004 to the present from

12 downloads from iStock?

13 A. I have that.

14 Q. Oh, you have it with you?

15 A. Okay.

16 MR. BOLAND: Mr. Rosenbaum, if I

17 can get a photocopy of it.

18 MR. ROSENBAUM: Well, that's what I

19 promised you. We'll get that.

20 MR. BOLAND: I don't want to ask

21 you a bunch of questions because I can read

22 that myself, and then if I have follow-ups, I

23 can send them to you.

24 BY MR. BOLAND:

25 Q. Now, the image used for the court

1 exhibit related to this case, can you give me a

2 dollar amount of its commercial value?

3 A. Could you be more specific?

4 Q. How much is it worth on the open

5 market to sell a copy of that image?

6 A. It depends. On iStock I could get

7 as much as, I want to say, if somebody bought

8 an extended license for one download, I could

9 have \$45.

10 Q. Has anyone ever bought an extended

11 license for that image?

12 A. For this image, no.

13 Q. And for that image, what's the most

14 it ever sold for anywhere? On iStock or anyone

15 else.

16 A. Total sales then for six downloads

17 was 80 cents.

18 Q. And since then, the life of that

19 image being on the Internet, how much has it

20 earned?

21 A. 80 cents.

22 Q. And when did you remove it from the

23 Internet?

24 A. The day that Charlie Sullivan was

25 in my house.

1 Q. So around about October of '04?

2 A. Yes.

3 Q. Okay. And that day, did you remove

4 all pictures of your daughter from the Internet

5 iStockphoto website?

6 A. All the images that I thought could

7 be manipulated.

8 Q. So you left some images of her up

9 there on the Internet?

10 A. I did.

11 Q. And they're up there still today?

12 A. Yes.

13 Q. Now, other than court personnel,

14 myself, and the FBI, do you know of any

15 other -- can you give me the names of any other

16 persons who you know have a copy of the court

17 exhibit that you reference in the complaint?

18 A. Other than court personnel?

19 Q. The FBI, and me.

20 A. No.

21 Q. Okay. Can you give me the name of

22 anyone outside of a courtroom to whom this

23 court exhibit was displayed?

24 A. I cannot.

25 Q. Can you give me a location where,

27

1 if you know, where this court exhibit was

2 displayed outside of a courtroom or to court

3 personnel?

4 A. No.

5 Q. And in your interrogatories you

6 indicated that you have no documents supporting

7 your claim for -- or any claim for damage to

8 your reputation. Is that still true, because

9 we've had some time between now and then?

10 A. Well, outside of, like I said, the

11 documents that I have showing the sales, I

12 don't know if they're directly linked.

13 Q. And then as of today, there's no

14 financial damage -- no damages of any kind that

15 have been suffered by your daughter

16 related -- she doesn't know about this

17 litigation, does she?

18 A. She knows nothing about it.

19 Q. She's never seen the image -- seen

20 the court exhibit?

21 A. Correct.

22 Q. And you've never described it for

23 her?

24 A. Correct.

25 Q. And you have told some other people

1 or discussed this issue with some other people,

2 correct?

3 A. Yes.

4 Q. Have they discussed it with anyone

5 else?

6 A. Not that I'm aware of.

7 Q. And have you described this court

8 exhibit to them, these other people?

9 A. No.

10 Q. Well, what did you tell them was

11 happening?

12 A. I told them that it was manipulated
13 into a pornographic image to defend child
14 pornographers.

15 Q. Okay. And you don't know if
16 they've told -- do you know if they've told
17 other people about this?

18 A. They said that they wouldn't, but I
19 can't say for sure that they haven't.

20 Q. And what steps have you taken to
21 try and protect your daughter from learning
22 about the existence of this court exhibit?

23 A. Just keeping her out of it.

24 Q. Are the other people you've told
25 about this court exhibit people that your

1 daughter knows?

2 A. Yes.

3 Q. Are they parents of children that
4 your daughter knows?

5 A. Mostly family members.

6 Q. Well, do they have children
7 themselves that might be your daughter's age?

8 A. Yes.

9 Q. Okay. Now, along with your
10 daughter, you're married to her mother?

11 A. I am not currently married to her
12 mother, no.

13 Q. And does her mother know about this
14 lawsuit?

15 A. Her mother has been made aware.

16 Q. And what was her mother's reaction
17 when you told her about this lawsuit and this
18 court exhibit?

19 A. She expressed -- the only thing she
20 expressed concern about was Sarah's safety and
21 her not finding out.

22 Q. And has Sarah's safety been in
23 question at any point during this litigation?

24 A. Not to this point, no.

25 Q. Okay. And have you discussed with

1 her mother what you -- how to deal with the
2 fact -- not the fact. How to deal with your
3 daughter in the event that someone you've told
4 tells your daughter about this exhibit?

5 A. I have not discussed that with her
6 mother, no.

7 Q. Are you concerned about that?

8 A. Am I concerned about?

9 Q. The people you've told somehow
10 accidentally giving this information to your
11 daughter at some point in her life.

12 A. At some point in her life it could
13 happen.

14 Q. Do you intend at some point to sit
15 down with your daughter and explain to her that
16 this court exhibit exists?

17 A. Not if I don't have to.

18 Q. Even when she's over 18?

19 A. I would rather she didn't know
20 anything about this.

21 Q. With this knowledge, you're just
22 going to leave it blanked out as long as you
23 can?

24 A. Yes.

25 Q. And would it be your preference

1 that the court personnel, the lawyers, the FBI
2 agent, myself, all keep this information to
3 ourselves as well?

4 A. I -- I would prefer that.

5 Q. Would that be best for your
6 daughter?

7 A. Yes. Absolutely.

8 Q. You think that would be best for
9 your aunt's ward?

10 A. That's for her to decide. That's
11 my opinion is the best thing.

12 Q. Your opinion, right.

13 A. Yes.

14 Q. Okay. Let me break things up in
15 time.

16 Prior to October of 2004, had you
17 suffered any damages from conduct that you

18 alleged in the complaint prior to October of
19 '04?

20 A. I wasn't aware of it then, so no.

21 Q. Okay. From October '04 to now,
22 you've suffered psychological and financial
23 damages, which you've described, right?

24 A. Right.

25 Q. Any other damages from October '04

32

1 to now?

2 A. Not that I can think of.

3 Q. Okay. And from now going forward
4 into the future, do you have any way to
5 calculate damages that you think you'll suffer
6 somewhere in the future?

7 A. Well, this is going to live with me

8 as far as I can tell forever. I'll never
9 forget this. And as far as financial damages,
10 like I said, there's no way to tell. It's
11 exponential.

12 Q. Because of the iStock -- I mean,

13 the photography, damage to your photography?

14 A. Right. Right.

15 Q. Now, have you ever made a living as

16 a photographer; like that was your sole income?

17 A. No.

18 Q. And when did you take up

19 photography as a hobby, let's say?

20 A. In my teens.

21 Q. What year would that have been?

22 A. Probably 1980 something. I don't

23 know. Mid '80s.

24 Q. Okay. And talking about your

25 daughter, prior to October of '04, had she

1 suffered any damages from the conduct alleged

2 in the complaint?

3 A. No.

4 Q. And from '04 to now, what damages

5 has she suffered as a result of the conduct

6 alleged in the complaint?

7 A. I can't say.

8 Q. And --

9 A. I don't know if my paranoia and
10 behavior has affected her in any way. I can't
11 say.

12 Q. Have you sent her to psychological
13 counseling?

14 A. No.

15 Q. And she's totally unaware this is
16 happening?

17 A. Yes.

18 Q. And prior to the FBI coming to chat
19 with you about this exhibit, were you aware of
20 any of the court cases that they later told you
21 about where this exhibit was used?

22 A. No.

23 Q. Since the FBI came and told you
24 about this exhibit existing, have you
25 learned -- have you discussed those court cases

2 involved in them? You know, have you gone to

3 these courthouses and discussed it with them?

4 A. No.

5 Q. Okay. Are you aware of any

6 location on the Internet where this court

7 exhibit is available for download?

8 A. I am -- no, I am not.

9 Q. And we already discussed, outside

10 of court personnel, the FBI and me, you're not

11 aware of anyone else who has a copy of this

12 image?

13 A. I am not aware of anybody, no.

14 Q. Okay. And do you have any

15 information to indicate that I still have a

16 copy of that court exhibit somewhere on some

17 computer?

18 A. I don't have direct information,

19 no.

20 Q. Okay.

21 MR. BOLAND: I don't think I have

22 any further questions, Mr. Rosenbaum.

23 MR. ROSENBAUM: Do you want to read

24 yours, too?

25 THE WITNESS: If I could, yes,

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1 please.

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3 (Deposition concluded.)

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1 CERTIFICATE

2 The State of Ohio,)

3 SS:

4 County of Cuyahoga.)

5

6 I, Donnalee Cotone, a Notary Public

7 within and for the State of Ohio, duly

8 commissioned and qualified, do hereby certify

9 that the within named witness, PETER LORA, was

10 by me first duly sworn to testify the truth,

11 the whole truth and nothing but the truth in

12 the cause aforesaid; that the testimony then

13 given by the above-referenced witness was by me

14 reduced to stenotype in the presence of said
15 witness; afterwards transcribed, and that the
16 foregoing is a true and correct transcription
17 of the testimony so given by the
18 above-referenced witness.

19 I do further certify that this
20 deposition was taken at the time and place in
21 the foregoing caption specified and was
22 completed without adjournment.

23
24
25

1 I do further certify that I am not
2 a relative, counsel or attorney for either
3 party, or otherwise interested in the event of
4 this action.

5 IN WITNESS WHEREOF, I have hereunto
6 set my hand and affixed my seal of office at
7 Cleveland, Ohio, on this _____ day of

8 _____, 2009.

9

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13

14 Donnalee Cotone, Notary Public

15 within and for the State of Ohio

16

17 My commission expires February 7, 2012.

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1 SIGNATURE OF WITNESS

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6 The deposition of PETER LORA, taken

7 in the matter, on the date, and at the time and

8 place set out on the title page hereof.

9 It was requested that the

10 deposition be taken by the reporter and that

11 same be reduced to typewritten form.

12 It was agreed by and between

13 counsel and the parties that the Deponent will

14 read and sign the transcript of said

15 deposition.

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1 AFFIDAVIT

2 The State of Ohio,)

3) SS:

4 County of Cuyahoga)

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8 Before me, a Notary Public in and for

9 said County and State, personally appeared

10 PETER LORA, who acknowledged that he/she did

11 read his/her transcript in the above-captioned

12 matter, listed any necessary corrections on the

13 accompanying errata sheet, and did sign the

14 foregoing sworn statement and that the same is

15 his/her free act and deed.

16 In the TESTIMONY WHEREOF, I have hereunto

17 affixed my name and official seal at this _____

18 day of _____ A.D. 2009.

19

20

21

22 Notary Public

23

24

25 My Commission Expires:

40

1 DEPOSITION ERRATA SHEET

2

3 RE: PETER LORA, VICTORIA BLOOM, ET AL.,

4 VS. DEAN BOLAND

5

6 Job No.: 19023-DLC

7 Deponent: PETER LORA

8 Deposition Date: MARCH 3, 2009

9

10 To the Reporter:

11 I have read the entire transcript of my

12 Deposition taken in the captioned matter or the

13 same has been read to me. I request that the

14 following changes be entered upon the record

15 for the reasons indicated. I have signed my
16 name to the Errata Sheet and the appropriate
17 Certificate and authorize you to attach both to
18 the original transcript.

19

20

21

22

23 _____

24 PETER LORA

25